

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled CONSUMER LEVEL DEVICE FOR AUTOMATICALLY TRANSFERRING DIGITAL IMAGES TO AN INTERNET-BASED SERVICE PROVIDER the specification of which is attached hereto;

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Date Filed	Priority Claimed (Yes) (No)
-----NONE-----			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application</u> <u>Serial Number</u>	<u>Date Filed</u>	<u>Status</u>
-----NONE-----		

I hereby appoint:

Jerry W. Mills	Reg. No. 23,005
Robert M. Chiaviello, Jr.	Reg. No. 32,461
Michael R. Barré	Reg. No. 44,023
James L. Baudino	Reg. No. 43,486
Jeffery D. Baxter	Reg. No. 45,560
Thomas A. Beaton	Reg. No. 46,543
William R. Borchers	Reg. No. 44,549
David M. Doyle	Reg. No. 43,596
Thomas R. Felger	Reg. No. 28,842
Thomas J. Frame	Reg. No. 47,232
Charles S. Fish	Reg. No. 35,870
Robert W. Holland	Reg. No. 40,020
Keiko Ichiye	Reg. No. 45,460
Jay B. Johnson	Reg. No. 38,193
Christopher W. Kennerly	Reg. No. 40,675
Tara D. Knapp	Reg. No. 43,723
Douglas M. Kubehl	Reg. No. 41,915
Ann C. Livingston	Reg. No. 32,479
Kevin J. Meek	Reg. No. 33,738
Harold E. Meier	Reg. No. 22,428
Brian W. Oaks	Reg. No. 44,981
Kurt M. Pankratz	Reg. No. 46,977
Luke K. Pedersen	Reg. No. 45,003
Barton E. Showalter	Reg. No. 38,302
T. Murray Smith	Reg. No. 30,222
Terry J. Stalford	Reg. No. 39,522
Brian E. Szymczak	Reg. No. 47,120
Matthew B. Talpis	Reg. No. 45,152

09781531-020804

David G. Wille	Reg. No. 38,363
Bradley P. Williams	Reg. No. 40,227
Scott F. Partridge	Reg. No. 28,142
James B. Arpin	Reg. No. 33,470
Roger J. Fulghum	Reg. No. 39,678
Thomas R. Nesbitt, Jr.	Reg. No. 22,075
James J. Maune	Reg. No. 26,946

Patent Agents:

Brian A. Dietzel	Reg. No. 44,656
Kevin R. Imes	Reg. No. 44,795

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Baker Botts L.L.P.  
2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980

Direct Telephone Calls To:

Barton E. Showalter  
at 214.953.6509  
Atty. Docket No. 062891.0461

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first inventor:

John A. Toebes

Inventor's signature



Date

2 Feb 2001

Residence (City, County, State)

Cary, Wake County, North Carolina

Citizenship

United States of America

Post Office Address

207 Livingstone Drive  
Cary, North Carolina 27513

09784531 062891

Full name of second inventor:

Philip R. Graham

Inventor's signature

PHR [Signature]

Date

2/2/2001

Residence (City, County, State)

Milpitas, Santa Clara, California

Citizenship

United States of America

Post Office Address

723 Berkshire Place  
Milpitas, California 95035

062891.0461